



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

BJG

Docket No: 3606-99

10 September 1999

LTCOL [REDACTED] USMC

ACS [REDACTED]

CAMP [REDACTED]

Dear Colonel [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 10 September 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by Headquarters Marine Corps, dated 19 July 1999, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records.

Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

3606-99

IN REPLY REFER TO:

1600
MMA-4
19 Jul 99

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: BCNR PETITION FOR LIEUTENANT COLONEL [REDACTED]
[REDACTED] USMC

Ref: (a) MMER Request for Advisory Opinion in the case of
Lieutenant Colonel [REDACTED]
[REDACTED] USMC of 6 Jul 99

1. Recommend disapproval of Lieutenant Colonel [REDACTED] request for removal of his failure of selection.
2. Per the reference, we reviewed Lieutenant Colonel [REDACTED] record and petition. Lieutenant Colonel [REDACTED] failed selection on the FY00 USMC Colonel Selection Board. He bases his petition on material error and contends the following:

a. Five fitness reports were missing from his Official Military Personnel File (OMPF).

b. Eleven fitness reports were unreadable.

Lieutenant Colonel [REDACTED] requests removal of his failure of selection.

3. Lieutenant Colonel [REDACTED] record that he received may have been incomplete, however, the record as it appeared before the Board was complete and accurate. After reviewing board OMPF and records we have determined the following:

a. All [REDACTED] alleged missing fitness reports were in the Board OMPF and appeared before the Board.

b. All eleven reports were readable in the Board OMPF and appeared before the Board.

Subj: BCNR PETITION FOR LIEUTENANT COLONEL [REDACTED] [REDACTED]
[REDACTED] USMC

4. In summary, Lieutenant Colonel [REDACTED] petition is without merit. His record, as it appeared before the Board, was complete and accurate. Therefore, we recommend disapproval of Lieutenant Colonel [REDACTED] request for removal of his failure of selection.

[REDACTED]
[REDACTED]
[REDACTED]

Lieutenant Colonel, U.S. Marine Corps
Head, Officer Counseling and
Evaluation Section
Officer Assignments Branch
Personnel Management Division